
Introduced by Senator OrtizFebruary 17, 2005

An act to amend Section 12693.70 of the Insurance Code, relating to health care coverage.

LEGISLATIVE COUNSEL'S DIGEST

SB 377, as introduced, Ortiz. Healthy Families Program.

Existing law establishes the Healthy Families Program, administered by the Managed Risk Medical Insurance Board, to arrange for the provision of health services to eligible persons who meet certain household income requirements. Existing law provides that all income over 200% but less than 250% of the federal poverty level shall be disregarded in calculating household income for coverage of certain infants.

This bill would instead provide that all income over 200% but less than 275% of the federal poverty level shall be disregarded for the coverage of these infants.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 12693.70 of the Insurance Code is
- 2 amended to read:
- 3 12693.70. To be eligible to participate in the program, an
- 4 applicant shall meet all of the following requirements:
- 5 (a) Be an applicant applying on behalf of an eligible child,
- 6 which means a child who is all of the following:
- 7 (1) Less than 19 years of age. An application may be made on
- 8 behalf of a child not yet born up to three months prior to the

1 expected date of delivery. Coverage shall begin as soon as
2 administratively feasible, as determined by the board, after the
3 board receives notification of the birth. However, no child less
4 than 12 months of age shall be eligible for coverage until 90 days
5 after the enactment of the Budget Act of 1999.

6 (2) Not eligible for no-cost full-scope Medi-Cal or Medicare
7 coverage at the time of application.

8 (3) In compliance with Sections 12693.71 and 12693.72.

9 (4) A child who meets citizenship and immigration status
10 requirements that are applicable to persons participating in the
11 program established by Title XXI of the Social Security Act,
12 except as specified in Section 12693.76.

13 (5) A resident of the State of California pursuant to Section
14 244 of the Government Code; or, if not a resident pursuant to
15 Section 244 of the Government Code, is physically present in
16 California and entered the state with a job commitment or to seek
17 employment, whether or not employed at the time of application
18 to or after acceptance in, the program.

19 (6) (A) In either of the following:

20 (i) In a family with an annual or monthly household income
21 equal to or less than 200 percent of the federal poverty level.

22 (ii) When implemented by the board, subject to subdivision (b)
23 of Section 12693.765 and pursuant to this section, a child under
24 the age of two years who was delivered by a mother enrolled in
25 the Access for Infants and Mothers Program as described in Part
26 6.3 (commencing with Section 12695). For purposes of this
27 clause, any infant born to a woman whose enrollment in the
28 Access for Infants and Mothers Program begins after June 30,
29 2004, shall be automatically enrolled in the Healthy Families
30 Program. This enrollment shall cover the first 12 months of the
31 infant's life. At the end of the 12 months, as a condition of
32 continued eligibility, the applicant shall provide income
33 information. The infant shall be disenrolled if the gross annual
34 household income exceeds the income eligibility standard that
35 was in effect in the Access for Infants and Mothers Program at
36 the time the infant's mother became eligible, or following the
37 two-month period established in Section 12693.981 if the infant
38 is eligible for Medi-Cal with no share of cost. At the end of the
39 second year, infants shall again be screened for program
40 eligibility pursuant to this section, with income eligibility

1 evaluated pursuant to clause (i), subparagraphs (B) and (C), and
2 paragraph (2) of subdivision (a).

3 (B) All income over 200 percent of the federal poverty level
4 but less than or equal to ~~250~~ 275 percent of the federal poverty
5 level shall be disregarded in calculating annual or monthly
6 household income.

7 (C) In a family with an annual or monthly household income
8 greater than ~~250~~ 275 percent of the federal poverty level, any
9 income deduction that is applicable to a child under Medi-Cal
10 shall be applied in determining the annual or monthly household
11 income. If the income deductions reduce the annual or monthly
12 household income to ~~250~~ 275 percent or less of the federal
13 poverty level, subparagraph (B) shall be applied.

14 (b) If the applicant is applying for the purchasing pool, and
15 does not have a family contribution sponsor the applicant shall
16 pay the first month's family contribution and agree to remain in
17 the program for six months, unless other coverage is obtained
18 and proof of the coverage is provided to the program.

19 (c) An applicant shall enroll all of the applicant's eligible
20 children in the program.

21 (d) In filing documentation to meet program eligibility
22 requirements, if the applicant's income documentation cannot be
23 provided, as defined in regulations promulgated by the board, the
24 applicant's signed statement as to the value or amount of income
25 shall be deemed to constitute verification.

26 (e) An applicant shall pay in full any family contributions
27 owed in arrears for any health, dental, or vision coverage
28 provided by the program within the prior 12 months.